

## REMARKS

Claims 1-44 are pending the present application with Claims 1, 34 and 38 being independent claims. The foregoing amendment amends Claims 1, 25, 26, 27, 28, 29, 30, 32, 33 and 34 and cancels Claims 45 and 46.

### **Korhammer and Fisher Do Not, Either Singularly or in Combination, Describe the Use of a Class of Items**

The Examiner has rejected the pending claims relying primarily on U.S. Patent No. 6,278,982 to *Korhammer et al.* ("Korhammer") and U.S. Patent No. 5,835,896 to *Fisher et al.* ("Fisher"). *Korhammer* describes a securities trading system that presents a user with a single interface for viewing and analyzing security market information and conducting security transactions with multiple securities trading systems. See Abstact. The securities trading system requires that a user specify a particular security using a stock symbol. For example, Figure 8 illustrates that use of "DELL", the stock symbol for Dell Computer Corp. Column 10, lines 3-7.

Although the present invention allows a shopper to specify a particular item, the invention also supports classes of items so that a shopper can specify a class of items. This allows the shopper to receive information about multiple items that are within the specified class. *Korhammer* does not allow a user to specify a class of items or securities. A user is only permitted to specify a particular security, typically by entering its stock symbol. Thus, *Korhammer*, does not describe a user interface that allows a shopper to specify a class of items or a system that retrieves information based on classes of items, as recited by independent Claims 1, and 34.

There is no suggestion that the securities trading system described by *Korhammer* could be extended to allow a user to specify a class of items.

Securities are not interchangeable and the sale or purchase of securities is specific to a particular security. For example, if a user wishes to buy shares of Dell Computer Corp, the user is only interested in placing an order for shares of Dell Computer Corp. The user is not interested in placing an order for a class of securities, such as shares of computer companies.

The Examiner previously rejected Claim 25, which recites that the user can specify a class of items, citing *Korhammer* and *Fisher*. *Fisher* describes an electronic auction. The cited sections of *Fisher* describe the operation of the auction manager. In particular, the cited sections describe the calculation of the current high bidder, the opening and closing of auctions, and bid validation. Although *Fisher* describes that an index of available merchandise is maintained, no details of the index are provided. Column 7, lines 39-40. Regardless of the details of the index, *Fisher* does not suggest that an auction can operate using classes. The auction system described by *Fisher* does not allow a user to specify a class of items and does not support retrieving information by class.

There is no motivation to combine *Korhammer* and *Fisher* in the manner suggested by the Examiner. *Fisher* describes only a single auction site. *Fisher* does not describe aggregating information from multiple enterprises or auction sites. In contrast, *Korhammer* describes a securities trading system that consolidates information from multiple securities systems. There is no suggestion in *Fisher* that an auction could be conducted over multiple sites or any description of how the auction manager described by *Fisher* would operate over multiple sites. Thus, there is no motivation to combine *Korhammer* and *Fisher*. Even if the references are combined, the combination does not describe the use of classes of items. Thus, the references do not describe each and every element of independent Claims 1 and 34 and dependent Claims 19, 21, 25, 29, 30, 32 and 33.

**Korhammer and Fisher Do Not, Either Singularly or in Combination, Describe the Use of Categories and Keywords**

Independent Claim 38 recites searching for data items by one or more keywords matching the products or services offered for purchase. The Examiner rejected Claim 38 reiterating the arguments made in rejecting Claim 34. Claim 34 does not recite searching by keywords. Thus, no citation to *Korhammer* or *Fisher* has been provided that describes this element of Claim 38.

As discussed in more detail above, *Korhammer* only describes the specification of securities by a particular identifier, such as a stock symbol. *Korhammer* does not describe a system that uses categories or keywords to locate information about items. *Fisher* only describes an index that a user can reference to locate merchandise. *Fisher* does not describe a system that uses categories or keywords to locate information about items. Thus, the references do not describe each and every element of independent Claim 38 and dependent Claims 26, 27, 28, 40, 41, 42, 43 and 44.

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## CONCLUSION

In light of the foregoing, it is respectfully submitted that the pending claims are allowable and a notice of allowance is respectfully requested. If there are any issues that can be resolved via a telephone conference, the Examiner is invited to contact Brenda Holmes at 404.685.6799.

Respectfully submitted,



Brenda O. Holmes  
Reg. No. 40,336  
Attorney for Applicant's Assignee

KILPATRICK STOCKTON LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, Georgia 30309-4530  
Receptionist (404) 815-6500  
Direct (404) 685 6799  
Fax (404) 541 3244